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Attorneys for Defendant  
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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

<p><b>DONALD MASTERS,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>vs.</b></p> <p><b>BOSTON SCIENTIFIC CORPORATION, BOSYON SCIENTIFIC CORPORATION 2000 LONG TERM INCENTIVE PLAN) and DOES 1-50,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>No. 5:07-cv-03792-JW</b></p> <p><b>STIPULATION AND [PROPOSED] AMENDMENT TO SCHEDULING ORDER FOR INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINE</b></p> <p><b>Date: February 25, 2007 Time: 10:00 a.m. Courtroom 8, 4<sup>th</sup> Floor SJ</b></p>
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**STIPULATION AND [PROPOSED] AMENDMENT TO SCHEDULING ORDER FOR  
INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINE**

**WHEREAS**, this case was recently reassigned to the Honorable James Ware;

**WHEREAS**, the Clerk's Notice of Impending Reassignment set the Case Management Conference for 10:00 a.m., Monday, November 5, 2007 and set the date for submitting the Joint Case Management Statement and Proposed Order as October 29, 2007;

**THEREFORE**, all parties and their counsel stipulate to and request the Court's approval of the following extension of the Court's Initial Order Setting Initial Case Management Conference and ADR Deadlines.

**CASE SCHEDULE –ADR MULTI-OPTION PROGRAM**

Date	Event	Governing Rule
2/4/2008	Last day to: <ul style="list-style-type: none"> <li>meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan</li> <li>file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference</li> </ul>	<u>FRCivP 26(f) &amp; ADR L.R. 3-5</u>  <u>Civil L.R. 16-8</u>
2/18/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at <a href="http://www.cand.uscourts.gov">http://www.cand.uscourts.gov</a> )	<u>FRCivP 26(a)(1)</u> <u>Civil L.R. 16-9</u>
2/25/2008	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 8, 4 <sup>th</sup> Floor SJ at 10:00 a.m.	<u>Civil L.R. 16-10</u>

**/s/ Robert B. Nichols**

Robert B. Nichols  
Attorney for Plaintiff  
Donald Masters

**/s/ Thomas E Kuhnle**

Thomas E. Kuhnle  
Attorney for Defendant  
Boston Scientific Corporation

**[PROPOSED] ORDER AMENDING SCHEDULING ORDER FOR INITIAL CASE  
MANAGEMENT CONFERENCE AND ADR DEADLINES**

**IT IS ORDERED THAT** the Case Schedule is amended as follows:

**CASE SCHEDULE –ADR MULTI-OPTION PROGRAM**

Date	Event	Governing Rule
2/4/2008	Last day to: <ul style="list-style-type: none"> <li>meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan</li> <li>file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference</li> </ul>	<u>FRCivP 26(f) &amp; ADR L.R. 3-5</u>  <u>Civil L.R. 16-8</u>
2/18/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at <a href="http://www.cand.uscourts.gov">http://www.cand.uscourts.gov</a> )	<u>FRCivP 26(a)(1)</u> <u>Civil L.R. 16-9</u>
2/25/2008	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 8, 4 <sup>th</sup> Floor SJ at 10:00 a.m.	<u>Civil L.R. 16-10</u>

San Jose, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
JAMES WARE  
UNITED STATES DISTRICT JUDGE